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PTO/SB/21 (09-04)

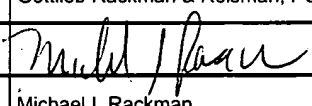
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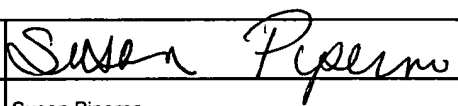
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 <p><b>TRANSMITTAL FORM</b></p> <p>(Please use for all correspondence after initial filing)</p>	Application Number	10/560,963 ✓
	Filing Date	December 14, 2005
	First Named Inventor	Hebblewhite et al
	Art Unit	to be assigned
	Examiner Name	to be assigned
	Attorney Docket Number	3869/035 US
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 4 Non-Patent References Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Gottlieb Rackman & Reisman, PC		
Signature			
Printed name	Michael I. Rackman		
Date	January 11, 2006	Reg. No.	20,639

CERTIFICATE OF TRANSMISSION/MAILING			
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3869/035 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : HEBBLEWHITE et al  
Serial No. : 10/560,963  
Filing Date : December 14, 2005  
Group Art No. : To be assigned  
Examiner : To be assigned  
Title : METHOD AND APPARATUS FOR MONITORING  
BARIATRIC PARAMETERS AND SLEEP DISORDERED  
BREATHING

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir;

Enclosed is a copy of Information Disclosure Citation Form together with copies of the documents cited on that form. It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant.

Pursuant to 37 C.F.R. § 1.97 (g) and (h), the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Respectfully submitted,

GOTTLIEB, RACKMAN & REISMAN

Michael I. Rackman, Reg. No. 20,639  
Attorney for Applicant  
270 Madison Avenue, 8<sup>th</sup> Floor  
New York, NY 10016  
(212) 684-3900

Date: January 11, 2006



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**Complete if Known**

*(Use as many sheets as necessary)*

Sheet	1	of	2
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Application Number	10/560,963
Filing Date	December 14, 2005
First Named Inventor	HEBBLEWHITE et al
Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	3869/035 US

[illegible][illegible]

**Examiner  
Signature**

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/560,963
Filing Date	December 14, 2005
First Named Inventor	HEBBLEWHITE et al
Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	3869/035 US

Sheet 2 of 2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		BERRY et al. "The Use of Auto-Titrating Continuous Positive Airway Pressure For Treatment of Adult Obstructive Sleep Apnea", SLEEP, Vol. 25, No. 2, 2002, pp. 148- 173	
		OLIVER et al. "Predicting Effective Continuous Positive Airway Presssure", CHEST, Vol. 117, No. 4, April 2000, pp. 1061 - 1064	
		BAGNATO et al "Comparison of AutoSet And Polysomnography For The Detection Of Apnea-Hypopnea Events",Brazilian Journal Of Biological & Medical Research, Vol 33, No 5, 2/2000, <b>pp. 515 - 519</b>	
		HUI et al. "Detection Of Continuous Positive Airway Pressure Compliance In A Group Of Chinese Patients With Obstructive Sleep Apnea", CHEST, Vol 120, No 1, 07/2001, pp 170-176	

Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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